



General Assembly

Amendment

February Session, 2014

LCO No. **5497**

HB0528905497HD0

Offered by:

REP. GUERRERA, 29th Dist.

SEN. MAYNARD, 18th Dist.

REP. SCRIBNER, 107th Dist.

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REP. SHARKEY, 88th Dist.

To: Subst. House Bill No. **5289**

File No. 245

Cal. No. 152

"AN ACT ESTABLISHING THE CONNECTICUT PORT AUTHORITY."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2015*) (a) There is hereby
4 established and created a body politic and corporate, constituting a
5 public instrumentality and political subdivision of the state of
6 Connecticut established and created for the performance of an
7 essential public and governmental function, to be known as the
8 Connecticut Port Authority. The authority shall not be construed to be
9 a department, institution or agency of the state. The purposes of the
10 Connecticut Port Authority shall be to coordinate port development,
11 with a focus on private and public investments, pursue federal and
12 state funds for dredging and other infrastructure improvements to

13 increase cargo movement through Connecticut ports, market the
14 advantages of such ports to the domestic and international shipping
15 industry, coordinate the planning and funding of capital projects
16 promoting the development of such ports and develop strategic
17 entrepreneurial initiatives that may be available to the state. The
18 authority is authorized and empowered to:

19 (1) Have perpetual succession as a body politic and corporate and to
20 adopt bylaws for the regulation of its affairs and the conduct of its
21 business;

22 (2) Adopt an official seal and alter the same at pleasure;

23 (3) Maintain an office at such place or places as it may designate;

24 (4) Sue and be sued in its own name, and plead and be impleaded;

25 (5) Develop an organizational and management structure that will
26 best accomplish the goals of the authority concerning Connecticut
27 ports;

28 (6) Create a code of conduct for the board of directors of the
29 authority consistent with part I of chapter 10 of the general statutes;

30 (7) Adopt rules for the conduct of its business, which shall not be
31 considered regulations as defined in subdivision (13) of section 4-166
32 of the general statutes; and

33 (8) Adopt an annual budget and plan of operations, including a
34 requirement of board approval before the budget or plan may take
35 effect.

36 (b) The authority shall continue as long as it has bonds or other
37 obligations outstanding and until its existence is terminated by law,
38 provided no such termination shall affect any outstanding contractual
39 obligation of the authority and the state shall succeed to the obligations
40 of the authority under any contract. Upon the termination of the

41 existence of the authority, all its rights and properties shall pass to and
42 be vested in the state of Connecticut.

43 (c) The powers of the authority shall be vested in and exercised by a
44 board of directors, which shall consist of fifteen voting members as
45 follows: (1) The State Treasurer, or the Treasurer's designee, the
46 Commissioner of Energy and Environmental Protection, or the
47 commissioner's designee, the Commissioner of Transportation, or the
48 commissioner's designee and the Commissioner of Economic and
49 Community Development, or the commissioner's designee, all of
50 whom shall serve ex officio; (2) one appointed by the speaker of the
51 House of Representatives for a term of two years; (3) one appointed by
52 the majority leader of the House of Representatives for a term of two
53 years; (4) one appointed by the minority leader of the House of
54 Representatives for a term of two years; (5) one appointed by the
55 president pro tempore of the Senate for a term of four years; (6) one
56 appointed by the majority leader of the Senate for a term of four years;
57 (7) one appointed by the minority leader of the Senate for a term of
58 four years; and (8) five appointed by the Governor, two for a term of
59 four years and three for a term of two years. Thereafter, such members
60 of the General Assembly and the Governor shall appoint members of
61 the board to succeed such appointees whose terms expire and each
62 member so appointed shall hold office for a period of four years from
63 the first day of July in the year of his or her appointment. Appointed
64 members shall have business and management experience and shall
65 include individuals who have experience and expertise in one or more
66 of the following areas: (A) International trade, (B) marine
67 transportation, (C) finance, or (D) economic development. The board
68 of directors shall select the chairperson from among the members of
69 the board, who shall serve for a term of four years. The board of
70 directors shall select a vice-chairperson from among its members and
71 such other officers as it deems necessary.

72 (d) No appointed member of the board of directors may designate a
73 representative to perform his or her respective duties under this

74 section in such member's absence. Any appointed member who fails to
75 attend three consecutive meetings of the board or who fails to attend
76 fifty per cent of all meetings of the board held during any calendar
77 year shall be deemed to have resigned from the board. Any vacancy
78 occurring other than by expiration of term shall be filled not later than
79 thirty days following the occurrence of such vacancy in the same
80 manner as the original appointment for the balance of the unexpired
81 term. The appointing authority for any member may remove such
82 member for inefficiency, neglect of duty or misconduct in office after
83 giving the member a copy of the charges against the member and an
84 opportunity to be heard, in person or by counsel, in the member's
85 defense, upon not less than ten days' notice. If any member shall be so
86 removed, the appointing authority for such member shall file in the
87 office of the Secretary of the State a complete statement of charges
88 made against such member and the appointing authority's findings on
89 such statement of charges, together with a complete record of the
90 proceedings.

91 (e) The members of the board of directors shall appoint an executive
92 director of the authority who shall not be a member of the board and
93 shall serve at the pleasure of the board and receive such compensation
94 as shall be fixed by the board. The executive director shall: (1) Have
95 extensive experience in the development and management of multiuse
96 port operations; (2) be the chief administrative officer of the authority
97 and direct and supervise administrative affairs and technical activities
98 in accordance with the directives of the board; (3) approve all accounts
99 for salaries, allowable expenses of the authority or of any employee or
100 consultant thereof, and expenses incidental to the operation of the
101 authority; (4) perform such other duties as may be directed by the
102 board in carrying out the purposes of this section; (5) be exempt from
103 the classified service; and (6) attend all meetings of the board, keep a
104 record of the proceedings of the authority and shall maintain and be
105 custodian of all books, documents and papers filed with the authority
106 and of the minute book or journal of the authority and of its official
107 seal. The executive director may cause copies to be made of all minutes

108 and other records and documents of the authority and may give
109 certificates under the official seal of the authority to the effect that such
110 copies are true copies, and all persons dealing with the authority may
111 rely upon such certificates.

112 (f) Each member of the board of directors shall serve without
113 compensation, but shall be reimbursed for such member's actual and
114 necessary expenses incurred during the performance of such member's
115 official duties.

116 (g) Members of the board of directors may engage in private
117 employment, or in a profession or business, subject to any applicable
118 laws, rules and regulations of the state regarding official ethics or
119 conflict of interest.

120 (h) Notwithstanding any provision of the general statutes, it shall
121 not constitute a conflict of interest for a trustee, director, partner or
122 officer of any person, firm or corporation, or any individual having a
123 financial interest in a person, firm or corporation, to serve as a member
124 of the board of directors of the authority, provided such trustee,
125 director, partner, officer or individual shall comply with all applicable
126 provisions of chapter 10 of the general statutes.

127 (i) Eight members of the board of directors of the authority shall
128 constitute a quorum for the transaction of any business or the exercise
129 of any power of the authority. For the transaction of any business or
130 the exercise of any power of the authority, and except as otherwise
131 provided in this section, the authority may act by a majority of the
132 members present at any meeting at which a quorum is in attendance.

133 (j) The board may delegate to eight or more members such board
134 powers and duties as it may deem necessary and proper in conformity
135 with the provisions of this section and its bylaws.

136 (k) The initial members of the board may begin service immediately
137 upon appointment, but shall not serve past the sixth Wednesday of the
138 next regular session of the General Assembly unless qualified in the

139 manner provided in section 4-7 of the general statutes. Thereafter, all
140 appointments shall be made with the advice and consent of both
141 houses of the General Assembly, in the manner provided in section 4-
142 19 of the general statutes.

143 (l) On or before December fifteenth of each year, the board shall
144 report, in accordance with the provisions of section 11-4a of the general
145 statutes, to the Governor and the joint standing committees of the
146 General Assembly having cognizance of matters relating to
147 transportation, commerce and the environment, summarizing the
148 authority's activities, disclosing operating and financial statements and
149 recommending legislation to promote the authority's purposes.

150 (m) Not later than seven days after receiving an audit of the
151 authority conducted by an independent auditing firm, the board shall
152 submit, in accordance with the provisions of section 11-4a of the
153 general statutes, to the joint standing committees of the General
154 Assembly having cognizance of matters relating to appropriations,
155 commerce, the environment and transportation a copy of each such
156 audit.

157 Sec. 2. (NEW) (*Effective from passage*) (a) There is established a Port
158 Authority Working Group. Such working group shall prepare and
159 submit recommendations to the Department of Economic and
160 Community Development on the powers and duties of the board of
161 directors of the Connecticut Port Authority, established pursuant to
162 section 1 of this act, regarding: (1) Employment and personnel
163 practices and policies, including those relating to hiring, promotion,
164 compensation, retirement and collective bargaining; (2) issuance of
165 bonds; (3) authority to acquire, lease, purchase, own, manage, hold
166 and dispose of personal and real property; (4) authority to make and
167 enter into contracts and agreements; and (5) any other powers, duties
168 or functions of the Connecticut Port Authority. The Port Authority
169 Working Group shall terminate on October 1, 2015.

170 (b) The Port Authority Working Group shall consist of the following

171 members: (1) The Commissioner of Economic and Community
172 Development, or the commissioner's designee; (2) the Treasurer, or the
173 Treasurer's designee; (3) one appointed by the speaker of the House of
174 Representatives who shall be a member of the Connecticut Marine
175 Trades Association; (4) one appointed by the majority leader of the
176 House of Representatives who shall be a representative of a coastal
177 municipality with a population not greater than one hundred
178 thousand; (5) one appointed by the minority leader of the House of
179 Representatives who shall be a member of the Connecticut Pilot
180 Commission; (6) one appointed by the president pro tempore of the
181 Senate who shall be a member of the Connecticut Maritime
182 Commission; (7) one appointed by the majority leader of the Senate
183 who shall be a representative of New Haven; (8) one appointed by the
184 minority leader of the Senate who shall be a member of the
185 Connecticut Harbor Management Association; (9) one appointed by
186 the cochairpersons of the joint standing committee of the General
187 Assembly having cognizance of matters relating to transportation who
188 shall be a representative of New London; (10) one appointed by the
189 ranking members of the joint standing committee of the General
190 Assembly having cognizance of matters relating to transportation who
191 shall be a representative of Bridgeport; (11) three appointed by the
192 Governor; and (12) any other member that the Commissioner of
193 Economic and Community Development deems appropriate. All
194 appointments shall be made not later than ninety days after the
195 effective date of this section.

196 (c) The members of the Port Authority Working Group shall select a
197 chairperson from among said group's membership who shall, in
198 consultation with the Department of Economic and Community
199 Development, be responsible for the scheduling and conducting of any
200 such meeting.

201 (d) The Department of Economic and Community Development
202 shall, within available appropriations, provide staff support to the Port
203 Authority Working Group.

204 (e) The Commissioner of Economic and Community Development
205 shall convene the first meeting of the Port Authority Working Group
206 not later than ninety days after the effective date of this section, and
207 the working group shall meet not less than once per month thereafter.

208 Sec. 3. (NEW) (*Effective from passage*) The Commissioner of Economic
209 and Community Development, after consultation with the
210 Commissioner of Transportation, the Commissioner of Energy and
211 Environmental Protection, the Secretary of the Office of Policy and
212 Management and the Port Authority Working Group established
213 pursuant to section 2 of this act, shall, within available appropriations,
214 (1) develop a plan to transition the maritime functions of the
215 Department of Transportation to the Connecticut Port Authority; (2)
216 review and make recommendations for state policies that affect
217 Connecticut's ports; (3) coordinate state, regional and local efforts to
218 encourage the growth of Connecticut's ports; (4) develop a plan to
219 transition the functions of the Connecticut Maritime Commission to
220 the Connecticut Port Authority after the establishment of the
221 Connecticut Port Authority; (5) develop a plan concerning the bonding
222 authority of the Connecticut Port Authority; (6) develop a proposed
223 business and operating plan for the consideration of the board of
224 directors of the Connecticut Port Authority upon its creation; and (7)
225 prepare and submit, on or before March 1, 2015, a report of activities,
226 findings and recommendations concerning the establishment of the
227 Connecticut Port Authority to the Governor and the joint standing
228 committees of the General Assembly having cognizance of matters
229 relating to commerce, transportation and the environment, in
230 accordance with the provisions of section 11-4a of the general statutes.

231 Sec. 4. Subdivision (12) of section 1-79 of the 2014 supplement to the
232 general statutes is repealed and the following is substituted in lieu
233 thereof (*Effective October 1, 2015*):

234 (12) "Quasi-public agency" means Connecticut Innovations,
235 Incorporated, [and] the Connecticut Health and Education Facilities
236 Authority, the Connecticut Higher Education Supplemental Loan

237 Authority, the Connecticut Housing Finance Authority, the State
238 Housing Authority, the Connecticut Resources Recovery Authority,
239 the Capital Region Development Authority, the Connecticut Lottery
240 Corporation, the Connecticut Airport Authority, the Health
241 Information Technology Exchange of Connecticut, the Connecticut
242 Health Insurance Exchange, [and] the Clean Energy Finance and
243 Investment Authority and the Connecticut Port Authority.

244 Sec. 5. Subdivision (1) of section 1-120 of the general statutes is
245 repealed and the following is substituted in lieu thereof (*Effective*
246 *October 1, 2015*):

247 (1) "Quasi-public agency" means Connecticut Innovations,
248 Incorporated, [and] the Connecticut Health and Educational Facilities
249 Authority, the Connecticut Higher Education Supplemental Loan
250 Authority, the Connecticut Housing Finance Authority, the
251 Connecticut Housing Authority, the Connecticut Resources Recovery
252 Authority, the Capital Region Development Authority, the
253 Connecticut Lottery Corporation, the Connecticut Airport Authority,
254 the Health Information Technology Exchange of Connecticut, the
255 Connecticut Health Insurance Exchange, [and] the Clean Energy
256 Finance and Investment Authority and the Connecticut Port Authority.

257 Sec. 6. Section 1-124 of the general statutes is repealed and the
258 following is substituted in lieu thereof (*Effective October 1, 2015*):

259 (a) Connecticut Innovations, Incorporated, the Connecticut Health
260 and Educational Facilities Authority, the Connecticut Higher
261 Education Supplemental Loan Authority, the Connecticut Housing
262 Finance Authority, the Connecticut Housing Authority, the
263 Connecticut Resources Recovery Authority, the Health Information
264 Technology Exchange of Connecticut, the Connecticut Airport
265 Authority, the Capital Region Development Authority, the
266 Connecticut Health Insurance Exchange, [and] the Clean Energy
267 Finance and Investment Authority and the Connecticut Port Authority
268 shall not borrow any money or issue any bonds or notes which are

269 guaranteed by the state of Connecticut or for which there is a capital
270 reserve fund of any kind which is in any way contributed to or
271 guaranteed by the state of Connecticut until and unless such
272 borrowing or issuance is approved by the State Treasurer or the
273 Deputy State Treasurer appointed pursuant to section 3-12. The
274 approval of the State Treasurer or said deputy shall be based on
275 documentation provided by the authority that it has sufficient
276 revenues to (1) pay the principal of and interest on the bonds and notes
277 issued, (2) establish, increase and maintain any reserves deemed by the
278 authority to be advisable to secure the payment of the principal of and
279 interest on such bonds and notes, (3) pay the cost of maintaining,
280 servicing and properly insuring the purpose for which the proceeds of
281 the bonds and notes have been issued, if applicable, and (4) pay such
282 other costs as may be required.

283 (b) To the extent Connecticut Innovations, Incorporated, [and] the
284 Connecticut Higher Education Supplemental Loan Authority, the
285 Connecticut Housing Finance Authority, the Connecticut Housing
286 Authority, the Connecticut Resources Recovery Authority, the
287 Connecticut Health and Educational Facilities Authority, the Health
288 Information Technology Exchange of Connecticut, the Connecticut
289 Airport Authority, the Capital Region Development Authority, the
290 Connecticut Health Insurance Exchange, [or] the Clean Energy Finance
291 and Investment Authority or the Connecticut Port Authority is
292 permitted by statute and determines to exercise any power to
293 moderate interest rate fluctuations or enter into any investment or
294 program of investment or contract respecting interest rates, currency,
295 cash flow or other similar agreement, including, but not limited to,
296 interest rate or currency swap agreements, the effect of which is to
297 subject a capital reserve fund which is in any way contributed to or
298 guaranteed by the state of Connecticut, to potential liability, such
299 determination shall not be effective until and unless the State
300 Treasurer or his or her deputy appointed pursuant to section 3-12 has
301 approved such agreement or agreements. The approval of the State
302 Treasurer or his or her deputy shall be based on documentation

303 provided by the authority that it has sufficient revenues to meet the
304 financial obligations associated with the agreement or agreements.

305 Sec. 7. Section 1-125 of the general statutes is repealed and the
306 following is substituted in lieu thereof (*Effective October 1, 2015*):

307 The directors, officers and employees of Connecticut Innovations,
308 Incorporated, [and] the Connecticut Higher Education Supplemental
309 Loan Authority, the Connecticut Housing Finance Authority, the
310 Connecticut Housing Authority, the Connecticut Resources Recovery
311 Authority, including ad hoc members of the Connecticut Resources
312 Recovery Authority, the Connecticut Health and Educational Facilities
313 Authority, the Capital Region Development Authority, the Health
314 Information Technology Exchange of Connecticut, the Connecticut
315 Airport Authority, the Connecticut Lottery Corporation, the
316 Connecticut Health Insurance Exchange, [and] the Clean Energy
317 Finance and Investment Authority and the Connecticut Port Authority
318 and any person executing the bonds or notes of the agency shall not be
319 liable personally on such bonds or notes or be subject to any personal
320 liability or accountability by reason of the issuance thereof, nor shall
321 any director or employee of the agency, including ad hoc members of
322 the Connecticut Resources Recovery Authority, be personally liable for
323 damage or injury, not wanton, reckless, wilful or malicious, caused in
324 the performance of his or her duties and within the scope of his or her
325 employment or appointment as such director, officer or employee,
326 including ad hoc members of the Connecticut Resources Recovery
327 Authority. The agency shall protect, save harmless and indemnify its
328 directors, officers or employees, including ad hoc members of the
329 Connecticut Resources Recovery Authority, from financial loss and
330 expense, including legal fees and costs, if any, arising out of any claim,
331 demand, suit or judgment by reason of alleged negligence or alleged
332 deprivation of any person's civil rights or any other act or omission
333 resulting in damage or injury, if the director, officer or employee,
334 including ad hoc members of the Connecticut Resources Recovery
335 Authority, is found to have been acting in the discharge of his or her

336 duties or within the scope of his or her employment and such act or
337 omission is found not to have been wanton, reckless, wilful or
338 malicious.

339 Sec. 8. Section 13b-55a of the general statutes is repealed and the
340 following is substituted in lieu thereof (*Effective October 1, 2015*):

341 (a) In addition to municipal requests for a grant-in-aid pursuant to
342 section 13b-57, harbor improvement projects may be initiated by the
343 Commissioner of Transportation on behalf of the state or for the state
344 on behalf of the federal government. Recommendations on the
345 prioritization or inclusion of projects shall be submitted to the
346 commissioner by the Connecticut [Maritime Commission] Port
347 Authority. The department shall contract for the provision of goods
348 and services to harbors and waterways for such improvements, and
349 shall provide the funding required under such contracts, except that
350 the commissioner may enter into agreements with other state agencies
351 or municipalities for such agencies or municipalities to provide the
352 funding for any of such contracts. The department shall administer all
353 contracts entered into under this section.

354 (b) All contracts are subject to final negotiation of the scope and
355 budget for a given project. Contracting periods may vary depending
356 on each project. Payments shall be made on a reimbursement basis for
357 deliverables completed no later than the dates of service of an executed
358 contract. Appropriate back-up information shall be included with each
359 payment request indicating that services have been rendered. The
360 department may elect to provide part or all of the funds necessary as
361 an upfront payment, provided funds are held in a separate, noninterest
362 bearing account and are expended not later than sixty days after such
363 funds are provided.

364 (c) Harbor improvement projects include the preparation of plans,
365 studies and construction for the alteration and improvement of various
366 state, municipal and other properties in or adjacent to the waters of the
367 state, for the purpose of improving the economy and infrastructure of

368 the state.

369 Sec. 9. Subdivision (2) of subsection (b) of section 12-587 of the 2014
370 supplement to the general statutes is repealed and the following is
371 substituted in lieu thereof (*Effective from passage*):

372 (2) Gross earnings derived from the first sale of the following
373 petroleum products within this state shall be exempt from tax: (A) Any
374 petroleum products sold for exportation from this state for sale or use
375 outside this state; (B) the product designated by the American Society
376 for Testing and Materials as "Specification for Heating Oil D396-69",
377 commonly known as number 2 heating oil, to be used exclusively for
378 heating purposes or to be used in a commercial fishing vessel, which
379 vessel qualifies for an exemption pursuant to section 12-412; (C)
380 kerosene, commonly known as number 1 oil, to be used exclusively for
381 heating purposes, provided delivery is of both number 1 and number 2
382 oil, and via a truck with a metered delivery ticket to a residential
383 dwelling or to a centrally metered system serving a group of
384 residential dwellings; (D) the product identified as propane gas, to be
385 used exclusively for heating purposes; (E) bunker fuel oil, intermediate
386 fuel, marine diesel oil and marine gas oil to be used in any vessel (i)
387 having a displacement exceeding four thousand dead weight tons, or
388 (ii) primarily engaged in interstate commerce; (F) for any first sale
389 occurring prior to July 1, 2008, propane gas to be used as a fuel for a
390 motor vehicle; (G) for any first sale occurring on or after July 1, 2002,
391 grade number 6 fuel oil, as defined in regulations adopted pursuant to
392 section 16a-22c, to be used exclusively by a company which, in
393 accordance with census data contained in the Standard Industrial
394 Classification Manual, United States Office of Management and
395 Budget, 1987 edition, is included in code classifications 2000 to 3999,
396 inclusive, or in Sector 31, 32 or 33 in the North American Industrial
397 Classification System United States Manual, United States Office of
398 Management and Budget, 1997 edition; (H) for any first sale occurring
399 on or after July 1, 2002, number 2 heating oil to be used exclusively in a
400 vessel primarily engaged in interstate commerce, which vessel

401 qualifies for an exemption under section 12-412; (I) for any first sale
402 occurring on or after July 1, 2000, paraffin or microcrystalline waxes;
403 (J) for any first sale occurring prior to July 1, 2008, petroleum products
404 to be used as a fuel for a fuel cell, as defined in subdivision (113) of
405 section 12-412; (K) a commercial heating oil blend containing not less
406 than ten per cent of alternative fuels derived from agricultural
407 produce, food waste, waste vegetable oil or municipal solid waste,
408 including, but not limited to, biodiesel or low sulfur dyed diesel fuel;
409 (L) for any first sale occurring on or after July 1, 2007, diesel fuel other
410 than diesel fuel to be used in an electric generating facility to generate
411 electricity; (M) for any first sale occurring on or after July 1, 2013,
412 cosmetic grade mineral oil; or (N) propane gas to be used as a fuel for a
413 school bus.

414 Sec. 10. Subdivision (3) of subsection (a) of section 12-458 of the
415 general statutes is repealed and the following is substituted in lieu
416 thereof (*Effective from passage*):

417 (3) Said tax shall not be payable on such fuel as may have been (A)
418 sold to the United States, (B) sold to a municipality of this state, (i) for
419 use by any contractor performing a service for such municipality in
420 accordance with a contract, provided such fuel is used by such
421 contractor exclusively for the purposes of and in accordance with such
422 contract, or (ii) for use exclusively in a school bus, as defined in section
423 14-275, (C) sold to a municipality of this state, a transit district of this
424 state, or this state, at other than a retail outlet, for governmental
425 purposes and for use in vehicles owned and operated, or leased and
426 operated by such municipality, such transit district or this state, (D)
427 sold to a person licensed as a distributor in this state under section 12-
428 456, (E) transferred from storage within this state to some point
429 without this state, (F) sold to the holder of a permit issued under
430 section 12-458a for sale or use without this state, (G) sold to the holder
431 of a permit issued under subdivision (63) of section 12-412, provided
432 (i) such fuel is not used in motor vehicles registered or required to be
433 registered to operate upon the public highways of this state, unless

434 such fuel is used in motor vehicles registered exclusively for farming
 435 purposes, (ii) such fuel is not delivered, upon such sale, to a tank in
 436 which such person keeps fuel for personal and farm use, and (iii) a
 437 statement, prescribed as to form by the Commissioner of Revenue
 438 Services and bearing notice to the effect that false statements made
 439 under this section are punishable, that such fuel is used exclusively for
 440 farming purposes, is submitted by such person to the distributor, (H)
 441 sold exclusively to furnish power for an industrial plant in the actual
 442 fabrication of finished products to be sold, or for the fishing industry,
 443 (I) sold exclusively for heating purposes, (J) sold exclusively to furnish
 444 gas, water, steam or electricity, if delivered to consumers through
 445 mains, lines or pipes, (K) sold to the owner or operator of an aircraft, as
 446 defined in section 15-34, exclusively for aviation purposes, provided (i)
 447 for purposes of this subdivision, "aviation purposes" means for the
 448 purpose of powering an aircraft or an aircraft engine, (ii) such fuel is
 449 delivered, upon such sale, to a tank in which fuel is kept exclusively
 450 for aviation purposes, and (iii) a statement, prescribed as to form by
 451 the Commissioner of Revenue Services and bearing notice to the effect
 452 that false statements made under this section are punishable, that such
 453 fuel is used exclusively for aviation purposes, is submitted by such
 454 person to the distributor, (L) sold to a dealer who is licensed under
 455 section 12-462 and whose place of business is located upon an
 456 established airport within this state, [or] (M) diesel fuel sold
 457 exclusively for use in portable power system generators that are larger
 458 than one hundred fifty kilowatts, or (N) sold for use in any vessel (i)
 459 having a displacement exceeding four thousand dead weight tons, or
 460 (ii) primarily engaged in interstate commerce."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2015</i>	1-79(12)
Sec. 5	<i>October 1, 2015</i>	1-120(1)

Sec. 6	<i>October 1, 2015</i>	1-124
Sec. 7	<i>October 1, 2015</i>	1-125
Sec. 8	<i>October 1, 2015</i>	13b-55a
Sec. 9	<i>from passage</i>	12-587(b)(2)
Sec. 10	<i>from passage</i>	12-458(a)(3)